

**Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:45 P.M.**

*Present: Ronald Daniels, Mayor  
James Hayes Trustees  
Patrick Kelly  
Yvonne Kaye*

*Theresa L. Cummins, Village Administrator, Clerk-Treasurer  
Thomas Troy, Village Attorney  
David Laubisch, Supt. of Public Works*

*Absent Mary Lowther*

The Clerk read the notice of public hearing being held November 9, 1992 by the Board of Trustees of the Village of Williamsville at 7:30 P.M. in the Village Hall, 5565 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing a proposed local law which would amend Sections 112-2 and 112-24 of the Zoning Code and regulate satellite dishes.

ON MOTION by Trustee Kelly, seconded by Trustee Hayes, the hearing was opened at 7:45 P.M.

Unanimously carried.

Trustee Kelly stated presently there is no regulation at all with respect to satellite dishes in either the commercial area nor the residential area. The law that is proposed has been drawn up by our Village Attorney and sets forth some regulations. First, no satellite antenna can be erected without a building permit which will allow the village to get involved and make sure they will be constructed correctly. "The satellite antenna itself shall not exceed 12' along its longest axis and the maximum height above ground level will not exceed 15'. The color shall be solid earth tone". It will be designed and reviewed by our building department to eliminate its visibility from neighbor and from adjoining streets. With respect to the residential area, no more than one satellite antenna will be allowed on any individual premises. A satellite antenna in a residential area must be installed freestanding, that is, it cannot be attached to any of the structures on the property including the house itself or the garage. It will have to be installed away from the building itself. In the commercial and manufacturing zones, the satellite antennae will continue to be reviewed by the Planning Board and can be attached to a building but cannot exceed 15' above the highest point of the building roof. It is Trustee Kelly's understanding that a satellite law was proposed a number of years ago and was not brought up for a vote but was withdrawn. In these days with increased transmission, it's important that the village have some sort of regulation since some are being erected on banks now.

There was no comment from the audience.

**Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:45 P.M.**

Trustee Kelly asked that this public hearing be held open for 30 days for comments. Specifically, he knows the Planning Board members wish to examine this law at their next scheduled meeting and have the opportunity to comment on it prior to its adoption.

Trustee Kaye asked in terms of the satellite dishes not being attached to structures in the residential part, is that for esthetics?

Trustee Kelly stated he didn't draw up the law but he believes that that is the purpose for it. Most people don't wish to have all kinds of antennae sticking up from their roof. They would rather see them placed more out the rear of the property away from view from the road or the next door neighbors.

Trustee Hayes asked if there are circumstances before the Planning Board that brought this law into public discussion tonight such as specific places in which people are attempting to install satellite dishes. He knows that there is one that's rather visible at Fleet Bank at the corner of South Cayuga on Main Street.

Trustee Kelly stated he has been the liaison to the Planning Board for approximately a year and a half and he believes in that entire time that is the only one that has come before the Planning Board. They regulate commercial and manufacturing space and do not regulate anything in the residential area. We had a great deal of difficulty at the Fleet Bank but they were willing to work with us. Seven or eight different areas were proposed at that location. Originally, it was going to be sitting in the middle of the parking lot and would have been visible from both Main Street and South Cayuga. The bank would also have lost some valuable parking. He doesn't think very many people are pleased with where it is right now, although technically, this law will not affect the placement of that particular antenna because it does fall within the definition listed in this law. It's not 15' higher than the adjoining structure. The Planning Board will have greater flexibility as to the esthetics once we have a law that specifically addresses the satellite issue. He has heard rumors that some of the other banks are going to be requesting dishes in the future and it would be nice to have something in effect to help us along.

Trustee Hayes asked to Trustee Kelly's knowledge, are there any requests on the table currently before the village.

Trustee Kelly said he does not know of any. He really thinks this law is drawn more for the residential area. He knows in East Amherst there are a large number of residences that have satellite dishes and we want to try to form some rules and regulations before we start getting a number of requests in the village. He is not aware of any in the village in the residential area. He thinks it is important to do it before we have the problem.

Mayor Daniels stated he would like to see strong verbiage regarding maintenance and physical appearance of these dishes being kept up. They are metal and they might be rusty at some point in time. Mayor Daniels is pleased to see that the permit has to be applied for by the owner of the

**Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:45 P.M.**

premise. When you get into apartments, it's quite possible tenants could put in an antenna and then they leave and it will still be there. Then who's responsibility is it? If the application is made by the owner of the premise, then we have a party who would be responsible for dismantling it.

ON MOTION by Trustee Kelly, seconded by Trustee Kaye, it was moved to close the public hearing, with the understanding that there will be a 30 day period for public comments, at 7:49 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Administrator/Clerk-Treasurer

**Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:50 P.M.**

*Present: Ronald Daniels, Mayor  
James Hayes Trustees  
Patrick Kelly  
Yvonne Kaye*

*Theresa L. Cummins, Village Administrator, Clerk-Treasurer  
Thomas Troy, Village Attorney  
David Laubisch, Supt. of Public Works*

*Absent: Mary Lowther*

The Clerk read the notice of public hearing being held November 9, 1992 by the Board of Trustees of the Village of Williamsville at 7:35 P.M. in the Village Hall, 5565 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section 112 of the Zoning Code to include restrictions on berms.

ON MOTION by Trustee Kelly, seconded by Trustee Kaye, the hearing was opened at 7 :50 P.M.

Unanimously carried.

Trustee Kelly stated a berm is a mound of earth artificially created as part of a landscaping or architectural scheme which rises significantly above the natural terrain. The largest example of a berm is on Evans Street just before Essjay Road. That's really the purpose of this law being drawn up. We saw what many consider, himself included, a very esthetically displeasing mound of earth in the middle of a residential piece of property. A number of people in the village are concerned regarding the use of berms and there is presently no regulation with respect to them. It took a while to draw up this simple law. Some of the concerns that he had concerned outlawing simple flower beds if you're building up close to your house. Presently, under the law as he has drawn up and further improved by Attorney Troy, is that no berm shall be constructed which is more than 36" above the natural surface of the surrounding terrain. That would take in account just about any flower bed and specifically outlaw what we consider to be a very esthetically displeasing mound along Evans Street.

Carolyn Schlifke, 192 Evans Street, stated she is very pleased that we are going to have an addition to the village codes regarding berms. She had spoken out about the one on Evans Street many times. She thinks it is very important that the elected officials look to problems before they occur. It's happened in this case but it hasn't happened some times in the past and it didn't happen once when she was serving on the board. She is very glad to see the satellite code enacted now because otherwise you always lock the door after the horse is out of the barn and it's difficult to stop a precedent once it starts. She does hope that the board will pass this law help protect other

**Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:50 P.M.**

residential areas. She hopes in the future the board will look for what could happen and address it before it does happen.

ON MOTION by Trustee Kelly, seconded by Trustee Hayes, it was moved to close the public hearing at 7:59 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Administrator/Clerk-Treasurer

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.**

*Present: Ronald Daniels, Mayor  
James Hayes Trustees  
Patrick Kelly  
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*Theresa L. Cummins, Village Administrator, Clerk-Treasurer  
Thomas Troy, Village Attorney  
David Laubisch, Supt. of Public Works*

*Absent: Mary Lowther*

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7:00 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, the minutes of the regular meeting of the Board of Trustees held October 26, 1992 were approved.

Mayor Daniels stated it should be noted that there was a problem with our tape machine at the last meeting and we reconstructed the minutes as accurately as we could.

Unanimously carried.

ON MOTION by Trustee Kelly, seconded by Trustee Hayes, it was moved at 7:45 P.M. to open a public hearing for the purpose of hearing all persons interested in discussing a proposed local law which would amend Sections 112-2 and 112-24 of the Zoning Code and regulate satellite dishes. (The public hearing was closed at 7:49 P.M.)

Unanimously carried.

ON MOTION by Trustee Kelly, seconded by Trustee Kaye, it was moved to open a public hearing at 7:50 P.M. for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section 112 of the Zoning Code to include restrictions on berms. (The hearing closed at 7:59 P.M.)

Unanimously carried.

Mayor Daniels reported on the Halloween Parade. He dressed up as Olive Oil and his wife dressed up as Popeye and they had a good time marching down Main Street with the little children and the Williamsville South Band that every year lends a festive atmosphere. Without the band, it just wouldn't be a parade. He extended great thanks to the band program of South High School. They've always gone out of their way, even in the colder weather, and play "On Wisconsin" for us which they always memorize each year. He thanked Warren Miller and the Water Mill for the

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.**

cider and all the other people who helped to make the parade a success. He looks forward to doing it again next year.

Mayor Daniels announced that the Supervisor's office of the Town of Amherst advises that "an emergency food distribution will be held at the Amherst Town Hall, Thursday, November 19th from 9:00 A.M. to 4:00 P.M. Everyone will be required to complete a new application as the Food Bank of Western New York has a new federal contract effective October 1st. Proof of eligibility in the form of public assistance ID. or supplemental social security income verification must be provided. Eligible residents are those whose verified income meet U.S.D.A. guidelines which have been revised upwards effective July, 1992. All recipients must sign their own signature upon receipt of the food and that includes home address, social security number, and household size. Food products expected to be distributed for November are flour, corn meal, butter, pears, green beans, tomatoes, corn, canned pork, peanut butter and applesauce. If you have any questions, please call the supervisor's office of the Town of Amherst."

Mayor Daniels stated recently our Water Department has come under a spot light for several reasons. We are just completing the water modeling of all the water transmission lines in the village for the purpose of getting an action plan for improving the system. On top of that, Erie County Water Authority has raised its rates again for the third year in a row and since the village purchases water from them we had to respond to that by raising village rates. We've also come through a one month cycle where our water loss was around 40% and that was a result of a large water main break on Main Street. Since the Village of Williamsville is built on bedrock, leaks don't come to the surface and have to be detected by listening to the flow of water with magnetic detectors in the pipes. They attach to the hydrants and actually take sound readings through the pipes. Main Street is particularly difficult because there is a large concrete cap over most of the surface of the road and the road noise itself. The major car and truck traffic makes it a difficult procedure. We did identify and repair a break last month that was costing the village about 160,000 gallons a day. It was in front of the old Carmer Auto Parts. Now we have had continuing reports and we are trying to keep our water losses within an acceptable range. Mayor Daniels has a note from Don Dehn from our Water Department, stating: "Over the last month and a half I have recorded consumption drop of 188,000 gallons per day average. This would total out to be a 5,640,000 drop over a 30 day period when compared to the September consumption average. My search continues not only to maintain this noted drop but to improve on it. I will keep you posted." Many thanks to Don Dehn who is in charge of going around and listening for water leaks and maintaining our system.

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.**

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, vouchers in the amount of \$90,998.32 covering 10/23/92 - 11/05/92 were approved:

Payroll fund w/e 11/04/92	\$ 23,236.67
General fund	34,458.17
Water fund	29,499.97
Sewer fund	349.39
Glen Park fund	1,225.44
Trust & Agency fund	1,740.43
Capital fund	<u>488.25</u>
 Grand Total	 \$ <u>90,998.32</u>

Large Vouchers:

Erie County Water Authority	\$27,221.22
Niagara Mohawk Power	\$7,375.72

Unanimously carried.

Mayor Daniels stated his second resolution designates village election districts for the next March 16th election. Although the districts will be unchanged, we do have to note the bounds of those districts in preparation for that upcoming election.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, the following resolution was hereby adopted:

WHEREAS the next Village Election in the Village of Williamsville is to be held on Tuesday, March 16, 1993 and

WHEREAS the hours of voting will be from 12:00 noon until 9:00 P.M. on March 16, 1993,

NOW, THEREFORE, BE IT RESOLVED that said Village shall be divided into three election districts be as follows:

DISTRICT #1-Includes the entire area east of Ellicott Creek, south of Main Street.

DISTRICT#2-Includes the entire area west of Ellicott Creek, both sides of Main Street;

DISTRICT#3-Includes the entire area east of Ellicott Creek, north

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.

of Main Street.

AND BE IT FURTHER RESOLVED that the offices to be filled shall be as follows:

Two (2) TRUSTEES for a term of four (4) years each

Trustee Kelly commented that these are the same districts that we have had in the past.

Mayor Daniels stated yes, they've been unchanged for many years. However, we are required to designate them for each election. There may be some changes in the future as far as Village Registration Day which has seen some changes on the state level. There has been, in the past a day, where our village residents, even if they are not registered with Erie County but would like to vote in the village election can come 10 days before the election on a Saturday and register with the village and be allowed to vote in the village election. We have several options now which we are considering for the upcoming election. Possibilities would be to eliminate the village registration day or to shorten the hours for registration or also to require in person registration. In the past, it's been possible just to telephone Village Hall to register. Several of us on the board have a real problem with taking someone's word over the phone that they are indeed the person that they say that they are. We may look at that whole procedure for this upcoming election.

Unanimously carried.

Mayor Daniels stated every year about this time our village taxes become past due. There's always a list of people in the village who for whatever reason have not paid the village taxes. These are sent to the county who collects these amounts and forwards that money to the village.

ON MOTION by Mayor Daniels, seconded by Trustee Kelly, the following resolution was hereby adopted:

WHEREAS the Village Clerk has returned her warrant and tax roll and has delivered to the Board of Trustees an account of taxes remaining due, amounting to \$39,483.20 containing description of the land upon which taxes are unpaid as the same were placed upon the tax roll, together with the amount assessed and interest thereon, and

WHEREAS the said Village Clerk under oath has sworn that the taxes mentioned in such account remain unpaid, and that after diligent efforts she has been unable to collect same, and

WHEREAS upon receiving such account from the Village Clerk, the Board of Trustees compared the same with the original tax roll of the Village, and

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.**

WHEREAS said Board of Trustees find such account to be a true transcript and has certified to the effect that they have compared it with the original tax roll and find it to be correct,

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Village of Williamsville is hereby credited by this Board of Trustees with the amount of said account in said return, and

BE IT FURTHER RESOLVED that a certificate executed by each member of the Village Board be attached to the account of unpaid taxes stating a total of unpaid taxes in the amount of \$39,483.20 and reciting that the account has been compared and found to be correct; and that the Clerk transmit said account and certificate to the appropriate officer of the County of Erie within 15 days to enforce collection pursuant to Section 1442 of the Real Property Tax Law.

Unanimously carried.

Trustee Hayes reported that of the long awaited traffic study for the southeast Amherst sector and the Village of Williamsville will be presented and discussed at a meeting of the Traffic Task Force on Tuesday, November 24th at 2:00 P.M. in the south conference room of Amherst Town Hall. Trustee Hayes has been keeping the public up to date on the progress of the study and we have been anxiously awaiting the final report from the traffic study consultant, Bergman Associates. Staff from Bergman Associates will be present at the meeting to answer questions. Trustee Hayes invites any interested village residents to attend that meeting. The actual report will be mailed in advance to members of the Traffic Task Force so that they will be prepared for the discussion. He believes that there will be time set aside during the meeting for questions from the public. Trustee Hayes will continue to keep the public up to date on this traffic study.

Trustee Hayes stated his first resolution authorizes Mayor Daniels to sign a Waiver of State Aid Eligibility for youth programs. This is a routine resolution that we pass because the Village of Williamsville does not qualify for the monies allocated by the state for our youth program. We do, however, by signing the waiver, pass the eligibility to the Town of Amherst and allow them to collect the money from the State of New York and use it for the benefit of our Village of Williamsville young people.

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.**

ON MOTION by Trustee Hayes, seconded by Trustee Kelly, the following resolution was hereby adopted:

RESOLVED that Mayor Ronald Daniels is hereby authorized to sign a Waiver of State Aid Eligibility for Youth Service in the amount of \$2,251.00.

Unanimously carried.

Trustee Hayes stated his second resolution involves the Village Board acting in our capacity as Fire Commissioners for the Village of Williamsville and the Williamsville Fire Department. It involves an update to the Certificate of Incorporation of the Hutchinson Hose Company. We received correspondence from the attorney for the Hutchinson Hose Company advising us of a vote that was taken by the membership of the Hutchinson Hose Company back on June 2, 1992 and we must ratify the changes that were made by the company to their Articles of Incorporation. Basically, the three changes amount to one, a change in the legal definition of the Village of Williamsville and the original not for profit corporation that was set up. The certificate identified the village by very technical language as it is viewed on the deeds as compiled by the search. They've changed that to incorporate the traditional legal limits of the Village of Williamsville including those areas outside the Village of Williamsville which the Hutchinson Hose Company contracts with to provide fire safety protection. The second change in their Articles of Incorporation is a definition of their status as a 501 (C)(3) Not For Profit corporation and it basically sets forth what would happen to the assets of the fire company should it ever cease existence. In that case, it states that the assets would be dispersed to other qualified 501 (C)(3) corporations. The third involves a minor matter in terms of the legal address of the corporation which is 5005 Sheridan Drive, Williamsville, New York, 14221. There also is a notarized statement from the president of the Fire Company and the secretary that was sworn before Attorney Bestry on the fourth day of June in 1992 stipulating those changes.

ON MOTION by Trustee Hayes, seconded by Trustee Kelly, the following resolution was hereby adopted:

RESOLVED that the Village Board of Trustees, acting as the Fire Commissioners for the Williamsville Fire Department hereby approves of the amendment to the Certificate of Incorporation of the Hutchinson Hose Company of Williamsville, New York, under Section 803 of the Not-for-Profit Corporation Law and consent that the same be filed accordance with the provisions of Section 404(f) and 804(a) of the Not-for-Profit Corporation Law of the State of New York.

Unanimously carried.

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.**

Trustee Hayes stated his third resolution involves an agreement that was reached by representatives of towns and villages throughout Erie County with the Erie County Highway Department for reimbursement for plowing snow and ice from county roads in municipalities. Although county roads exist throughout all towns and villages throughout Erie County, it is the town's and village's DPW's that keep those roads clear in many instances and there is a formula by which the county reimburses the municipalities for the costs of doing that work. That was subject of some discussion earlier this year, as it was last year, because an agreed upon amount for that reimbursement was debated. The county wanted to cut the rate that was paid to the municipalities. The municipalities were informing the counties of increased costs for having that snow and ice removed and a compromise was reached and agreeable to all town and village representatives on the committee and so we need to ratify that agreement through a resolution.

ON MOTION by Trustee Hayes, seconded by Trustee Kelly, the following resolution was hereby adopted:

RESOLVED that Mayor Ronald Daniels is hereby authorized to sign the agreement between the County of Erie and the Village of Williamsville for snow and ice removal on County roads for the period October 22, 1992 through August 31, 1995.

Unanimously carried.

Mayor Daniels stated it's very interesting to him that one of the things that was replaced in that Fire Department resolution was that the description of the bounds of the Village of Williamsville. When they surveyed land years ago they used links of chain and walked from one point to another based on a compass reading so many degrees. That's how they described the village limits. It's good to see that we've updated that.

Trustee Kaye reported on our recycling contract with BFI, who will now be picking up magazines, catalogs and empty aerosol containers for the Village of Williamsville at no additional charge to the village. When the village first talked to BFI about adding these additional items for which there is now a market, they wanted to charge the village additional amounts of money and finally during a phone conversation, Peter Martin of BFI agreed that they would charge the village nothing additional to pick up those magazines, catalogs and empty aerosol cans. We will no longer have to have those in our waste stream and have to pay for that tonnage. This change is effective immediately.

Trustee Kaye reported there is a new code for recycling that includes any institutional, residential complex or any place that has a portable transfer container. They will also have to be part of the recycling program as well. Letters are being sent out from the DPW of how to comply to the new code.

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.**

Trustee Kaye stated her first resolution is to call for a public hearing for a proposed law to delete current Section 39 Garbage, Rubbish and Refuse and adopt a new Section 39-Garbage, Rubbish and Trash. The proposal deals with some of the changes that came about when separating the recycling code from this section. Also, in reviewing this code, we found that we needed to strengthen some of the language that was in it. It had a few loopholes and we wanted to tighten them. Unfortunately, this is on the agenda at our last meeting to have the public hearing but we did not have the Administrator nor the Deputy Clerk present at that meeting and somehow we missed having the public hearing. Trustee Kaye apologizes but we will be calling for that again.

ON MOTION by Trustee Kaye, seconded by Trustee Kelly, the following resolution was hereby adopted:

RESOLVED that the Village Clerk publish notice of public hearing to be held by the Village Board in Village Hall on Monday, December 14, 1992 at 7:30 P.M. for the purpose of hearing all persons interested in discussing a proposed local law which would delete the current Section 39 of the Village Code entitled Garbage, Rubbish and Refuse and adopt a new Section 39-Garbage, Rubbish and Trash.

Unanimously carried.

ON MOTION by Trustee Kaye, seconded by Trustee Kelly, it was moved to suspend the rules for a resolution not on the agenda.

Unanimously carried.

Trustee Kaye stated this resolution was on our agenda last time but was pulled because there was a question about it. This resolution deals with the village lending its support along with other municipalities and the Northeast Solid Waste Board that Erie County would continue the present two support positions for the Solid Waste Board. The County has proposed cutting the Solid Waste Management Program in the 1993 budget and they would eliminate the Solid Waste Management Coordinator and also the Recycling Specialist. Presently, the Recycling Specialist is part of a grant which goes through September 1st of 1993. Those two positions have been proposed as cuts in the upcoming budget. Primarily the main item which we have benefited from this position has been through the bidding process, primarily our disposal contract with Occidental. There are some other items which we have benefited from as well. The Northeast Solid Board in a meeting of October 1, 1992 passed a resolution demanding that the county retain both the Solid Waste Management Program Coordinator and the Recycling Specialist permanently. Her question at the last meeting was the county asking for any monies from the Village of Williamsville or any of the municipalities in supporting this resolution. The answer that she received is no. They are not looking for any monies from the Village of Williamsville. Just lending its support. This money would come out of the Erie County budget.

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.**

ON MOTION by Trustee Kaye, seconded by Trustee Kelly, the following resolution was hereby adopted:

WHEREAS, the Erie County Solid Waste Coordinator and the County Recycling Specialist have provided assistance to the Northeast Communities Solid Waste Management Board of which the Village of Williamsville is a member; and

WHEREAS, the assistance they provided included establishing the Board, providing program direction, coordination, continuing management, technical assistance, information gathering and other staff services which are necessary for the continued viability of the Board; and

WHEREAS, major accomplishments of the Board have been long term disposal contracts for municipal waste with the Occidental Energy from Waste facility in Niagara Falls, shorter term disposal contracts for the disposal of tires, bulky waste, construction debris and demolition materials, and the establishment of solid waste control through bidding of collection contracts in many communities; and

WHEREAS, the municipalities have been successful, but have additional work which must continue related to recycling, composting, bidding of short term contracts, and negotiating extensions to the Occidental contracts,

NOW, THEREFORE BE IT RESOLVED that by cutting the County Solid Waste Management Program Coordinator and not extending the Recycling Specialist position beyond the Low-Technology Resource Recycling Project Grant would seriously endanger the cooperative solid waste management programs of the Solid Waste Boards and all municipalities in Erie County.

BE IT FURTHER RESOLVED, that the Village of Williamsville as a member of the Northeast Communities Solid Waste Management Board is opposed to any cuts in the Department of Environment and Planning in the areas of solid waste management; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the County Executive, County Legislators and the Commissioner of the department of Environment and Planning.

Unanimously carried.

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.**

ON MOTION by Trustee Hayes, seconded by Trustee Kelly, it was moved to return to the regular agenda.

Unanimously carried.

Trustee Kelly reported on the Local Government Advisory Board. We're at the present time reviewing the cable contract. Most people might not know that in order for the cable TV company to operate in a municipality they have to enter into an agreement with the village. They do pay the village some funds for the use of the system. That contract expires next April or May and we're working right now on improving the service to the community to see if we can get some additional channels. Approximately half the members of the Local Government Advisory Board are working on the cable TV contract. They are working with our Administrator and our Village Attorney and they are also working closely with the Town of Amherst since the town is negotiating at the same time. We'll keep the public updated as we get closer and closer.

Trustee Kelly stated he has had the opportunity to go to South High School to attend a meeting of D.A.R.E. There were a number of high school students, junior high and some grammar school children present and there were a number of speakers. It was very enjoyable. It was also very interesting to hear from the kids point of view how drugs and alcohol affects families and individuals. It was nice to see that there are a good group of children in each of our schools concerned about what Trustee Kelly considers to be a major problem.

Trustee Kelly reported on leaf pickup. The DPW has been through the village at least once. He knows they are working hard to get through before the snow falls. Trustee Kelly asked that people who are putting their leaves out by the curb don't put them in the roadway. As a driver, he finds it very difficult, especially at night, to drive up our streets when visibility is very difficult. You never know when some kids are playing in the leaf piles and if they are in the roadway, we could have a serious accident.

Trustee Kelly reported on the Safety and Inspections Department. He has given various memoranda to the Board about the people within the village departments; basically reorganizing them. We are now interviewing for a new Building Inspector. He sees a number of shortcomings in that department and he has proposed a number of changes. Hopefully, some of the changes that he has requested will be put into effect immediately will enable our Safety and Inspections Department to run on a more smoothly.

Trustee Kelly stated his resolution deals with the cable TV contract.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.

ON MOTION by Trustee Kelly, seconded by Trustee Hayes, the following resolution was hereby adopted:

RESOLVED THAT Village Administrator Theresa L. Cummins and Village Attorney Thomas V. Troy and a member of the Local Government Advisory Board, Edward Rath III, are hereby authorized to attend a Regional Seminar sponsored by the New York State Commission on Cable Television to be held at Genesee Community College on November 12, 1992 and the \$10.00 cost of the Conference to be paid by the Village of Williamsville.

Unanimously carried.

Mayor Daniels stated regarding the announcement on the recycling additions, he is not sure that BFI is totally thrilled with picking up aerosol cans and they've asked that the village not include them in our printed material. Mayor Daniels' understanding is that some of the containers, unless they are totally empty, cause a explosive problem.

Trustee Kaye stated their concern is to make sure that if the village gives out information about aerosol cans that people are aware that cans must be totally empty.

Superintendent of Public Works, David Laubisch reported that the leaves that are piled in the streets pose a safety problem. We've run across three such incidences within the last week and a half where we have notified the residents that if they do not correct this situation where leaf piles are obstructing driving lanes, they be cited under the village code. We don't like to do this. He thinks a verbal request or simply a letter requesting the resident to remove the pile in the street should be all that is necessary but if that does not work, we will be citing residents under sections of the village code.

Mr. Laubisch also reported that approximately 85% of the streets have had for leaf pickup, at least twice. On the south side of Main Street, we started on Union Road this morning and will be working in an easterly direction. Although the machine did have a mechanical failure this afternoon, he anticipates that we probably will be completing the south side of Main Street from Union Road up to South Cayuga by Thursday this week and then we go on the other side of Ellicott Creek and start on Oakgrove Drive on Friday, barring any mechanical failures or unseen problems. On the north side of Main Street we started at N. Long about 9:30 A.M. this morning. We are proceeding in an easterly direction. We should be over to N. Cayuga by Wednesday or Thursday and start at Mill Street and progress in an easterly direction approximately Thursday this week barring any mechanical problems. We do not control the amount of leaves at curbside at pickup so these schedules are very tentative. Mechanical failures and volume of leaves dictate the schedule.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.

Mayor Daniels stated we do get calls as the DPW does also from residents who state that no one has been down our street and the leaves are piling up. The DPW has been around twice and now they are starting their third time around. Mayor Daniels will get a proposed schedule from the DPW and also where they've been so that we can tell residents where they are and what's happening. As Superintendent Laubisch mentioned, the leaf fall now is very heavy and it depends how much is on the street and how far they get in one day. He hopes most residents understand that it takes time to get completely around.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, it was moved to suspend the rules for the purpose of public participation.

Unanimously carried.

Susan Harla, 52 Hirschfield Drive, stated with regard to satellite dishes, she wondered what the rules are if someone wanted to hang a 12' banner from their house.

Trustee Kelly stated he doesn't think banners or flags are presently regulated at all.

Attorney Troy stated the village doesn't have any codes that expressly prohibit that sort of thing but it's very possible we could find a way to interpret the existing code for that purpose if the neighbors started complaining.

Ms. Harla stated they have a satellite dish on their roof. She was wondering if this law would concern houses that already have satellites. Would they be required to move them.

Trustee Kelly stated normally if something is already there it's grandfathered in unless it is a threat to the public's health or safety.

Attorney Troy stated under the proposed legislation a satellite dish will be actually an accessory structure and therefore regulated by the zoning code and presumably if it now exists and it's adequate to the technical standards for safety, there would be no reason why it wouldn't be interpreted as what we call a nonconforming use, which means it could stay where it is so long as it wasn't expanded or extended in any way. That's assuming that it is safe.

Ms. Harla stated Trustee Kelly stated it might be esthetically displeasing. Many people don't know that they have it and don't even notice it, especially in the Williamsville area. There are so many trees that cover it. They are less able to be seen on a roof than opposed to on your lawn. Theirs is mesh. They are see through, you can't even see it.

Mayor Daniels stated there is one company that makes umbrellas for picnic tables that are satellite dishes. He thinks one of the steps in the future may be the camouflaged approach to the satellite dish. That would be the correct size and have a double function.

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 9, 1992 at 7:00 P.M.**

Ms. Harla stated it kind of seemed like imposing regulations on your property that you pay for by regulating where you can put things.

Trustee Kelly stated he is cognizant that the code is putting a burden on the property but just about everything with respect to your house is regulated. You're regulated how far back the house can be built from the road, how high your fences are, the size of your house, the whole inside is regulated by the building code. Many things are. One of the things that Trustee Kelly is concerned with and he talked at length last meeting with Attorney Troy, is the fact that it is not allowed to be attached to the building. This code has not been put into effect yet and one of the things that we like to hear are public comments such as Ms. Harla's so that we can examine whether it makes more sense to have them in certain area on a roof as opposed to sitting in somebody's back yard. Trustee Kelly appreciates Ms. Harla's comments and hope that other people will also have comments with respect to it. It's important that we do it now before the code is put into effect than after it is.

ON MOTION by Mayor Daniels, seconded by Trustee Kelly, it was moved to return to the regular agenda.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, it was moved at 8:44 P.M. to adjourn to Executive Session for the purpose of discussing personnel.

Trustee Hayes stated he thinks it would be appropriate for the board to invite the Chief of the Fire Department to sit in as a consultant to the board to the interviews.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, it was moved to return to the regular agenda.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, it was moved to adjourn the meeting at 10:00 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Administrator/Clerk-Treasurer